

CALIFORNIA CODES
GOVERNMENT CODE
SECTION 95006-95009

95006. This title shall be administered under the shared direction of the Secretary of the Health and Welfare Agency and the Superintendent of Public Instruction. The planning, development, implementation, and monitoring of the statewide system of early intervention services shall be conducted by the State Department of Developmental Services in collaboration with the State Department of Education with the advice and assistance of an interagency coordinating council established pursuant to federal regulations.

95007. The State Department of Developmental Services shall serve as the lead agency responsible for administration and coordination of the statewide system. The specific duties and responsibilities of the State Department of Developmental Services shall include, but are not limited to, all of the following:

(a) Establishing a single point of contact with the federal Office of Special Education Programs for the administration of Part H of the Individuals with **Disabilities** Education Act.

(b) Administering the state early intervention system in accordance with Part H of the Individuals with **Disabilities** Education Act (20 U.S.C. Sec. 1471 et seq.), and applicable regulations and approved state application.

(c) Administering mandatory and discretionary components as specified in Sections 95022 and 95024.

(d) Administering fiscal arrangements and interagency agreements with participating agencies and community-based organizations to implement this title.

(e) Establishing interagency procedures, including the designation of local coordinating structures, as are necessary to share agency information and to coordinate policymaking activities.

(f) Adopting written procedures for receiving and resolving complaints regarding violations of Part H of the Individuals with **Disabilities** Education Act by public agencies covered under this title, as specified in Section 1476(b)(9) of Title 20 of the United States **Code** and appropriate federal regulations.

(g) Establishing, adopting, and implementing procedural safeguards that comply with the requirements of Part H of the Individuals with **Disabilities** Education Act, as specified in Section 1480 of Title 20

of the United States **Code** and appropriate federal regulations.

(h) (1) Monitoring of agencies, institutions, and organizations receiving assistance under this title.

(2) Monitoring shall be conducted by interagency teams that are sufficiently trained to ensure compliance. Interagency teams shall consist of, but not be limited to, representatives from the State Department of Developmental Services, the State Department of Education, the interagency coordinating council, or a local family resource center or network parent, direct service provider, or any other agency responsible for providing early intervention services.

(3) All members of an interagency team shall have access to all information that is subject to review. Members of each interagency team shall maintain the confidentiality of the information, and each member of the interagency team shall sign a written agreement of confidentiality.

(4) A summary of monitoring issues and findings shall be forwarded biannually to the interagency coordinating council for review.

(i) Establishing innovative approaches to information distribution, family support services, and interagency coordination at the local level.

(j) Ensuring the provision of appropriate early intervention services to all infants eligible under Part H of the Individuals with **Disabilities** Education Act (20 U.S.C. Sec. 1471 et seq.) and under Section 95014, except for those infants who have solely a low incidence disability as defined in Section 56026.5 of the Education **Code** and who are not eligible for services under the Lanterman Development **Disabilities** Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions **Code**).

The development and implementation of subdivisions (e) to (h), inclusive, shall be a collaborative effort between the State Department of Developmental Services and the State Department of Education. In establishing the written procedures for receiving and resolving complaints as specified in subdivision (f) and in establishing and implementing procedural safeguards as specified in subdivision (g), it is the intent of the Legislature that these procedures be identical for all infants served under this act and shall be in accordance with Section 303.400 and subdivision (b) of Section 303.420 of Title 34 of the **Code** of Federal Regulations. The procedural safeguards and due process requirements established under this title shall replace and be used in lieu of due process procedures contained in Chapter 1 (commencing with Section 4500) of Division 4.5 of the Welfare and Institutions **Code** and Part 30 (commencing with Section 56500) of the Education **Code** for infants and their families eligible under this title.

95008. The State Department of Education shall be responsible for administering services and programs for infants with solely visual, hearing, and severe orthopedic impairments, and any combination thereof, who meet the criteria in Sections 56026 and 56026.5 of the Education **Code**, and in subdivisions (a), (b), (d), or (e) of Section 3030 of, and Section 3031 of, Title 5 of the California **Code** of Regulations and Part H of the Individuals with **Disabilities** Education Act (20 U.S.C. Section 1471 et seq.) and who are not eligible for services under the Lanterman Developmental **Disabilities** Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions **Code**).

95009. The development of joint regulations for meeting the requirements of this title shall be the shared responsibility of the State Department of Developmental Services on behalf of the Secretary of the Health and Welfare Agency, and the State Department of Education on behalf of the Superintendent of Public Instruction. The joint regulations shall be agreed upon by both departments. These regulations shall be developed and approved by October 1, 1995. The Department of Finance shall review and comment upon the joint regulations prior to any public hearing on them.